

In the United States District Court
For the Southern District of Illinois
Benton Division

FILED

MAR 11 2019

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

RODNEY HOWELL,

Plaintiff

v.

LABORERS INTERNATIONAL UNION OF
NORTH AMERICA, LOCAL 773,

Defendant.

Case No. 19-cv-289-SMY-RJD

Jury Trial Demanded

Pro Se Complaint

Now Comes the Plaintiff, RODNEY HOWELL ("Howell") who, in support of his complaint against the Defendant, LABORERS INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 773 (LIUNA), states as follows:

I. Introduction

1. Howell was formerly employed by LIUNA as a labor organizer. His employment with LIUNA was terminated on February 4, 2018. Howell maintains two separate claims in this lawsuit. His first claim is that his rights under the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621 et seq. His second claim is brought under the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, et seq.

II. Jurisdiction

2. Both of these claims are premised upon federal statutes vesting jurisdiction in this Court to hear the claims pursuant to 28 U.S.C. § 1331.

3. The actions giving rise to this claim occurred in Williamson County, Illinois,

1 making this Court the appropriate venue for this lawsuit.

2 **III. Parties**

3 4. Howell is an adult resident of Jackson County in the State of Illinois. He was
4 previously employed by LIUNA as a Labor Organizer. His employment with LIUNA was
5 terminated on February 4, 2018.

6 5. LIUNA is a labor organization.

7 **Count I**
8 *Age Discrimination*

9 6. Howell was 54 years old as of the date of his termination.

10 7. LIUNA is an employer as that term is defined under the Age Discrimination
11 in Employment Act.

12 8. Howell's employment with LIUNA was terminated on February 4, 2018.

13 9. Howells' termination was made because of his age and similarly situated
14 younger individuals were not treated in a similar fashion.

15 10. As a result of his termination Howell has sustained damages in the form of lost
16 wages and benefits and emotional distress damages.

17 11. The Equal Employment Opportunity Commission has issued Howell a notice of
18 right to sue for this claim and this lawsuit is being initiated within 90 days of his receipt of said
19 notice.

20 Wherefore, Howell respectfully requests that this Court enter judgment in his favor and
21 against LIUNA and enter an award providing for the following:

22 1. A determination that Howell's termination decision was made because of his age
23 in violation of the Age Discrimination in Employment Act.

1 2. An order directing LIUNA to compensate him for his lost wages and other
2 benefits resulting from this termination.

3 3. An award of non-economic damages.

4 4. An award of pre-judgment interest.

5 5. An award of attorney fees and costs associated with bringing this claim.

6 6. Any other order that is just and appropriate.

7 **Howell requests a jury trial**

8 **Count II**
9 ***ADA Discrimination***

10 12. Howell is disabled as that term is defined by the ADA. Further, LIUNA
11 perceives Howell to be disabled.

12 13. LIUNA is an employer as that term is defined under the ADA.

13 14. Howell's employment with LIUNA was terminated on February 4, 2018.

14 15. Howells' termination was made because of his disability and/or perceived
15 disability and similarly situated non-disabled individuals were not treated in a similar fashion.

16 16. As a result of his termination Howell has sustained damages in the form of lost
17 wages and benefits and emotional distress damages.

18 17. The Equal Employment Opportunity Commission has issued Howell a notice of
19 right to sue for this claim and this lawsuit is being initiated within 90 days of his receipt of said
20 notice.

21 Wherefore, Howell respectfully requests that this Court enter judgment in his favor and
22 against LIUNA and enter an award providing for the following:

23 1. A determination that Howell's termination decision was made in violation of his
24

rights under the ADA.

2. An order directing LIUNA to compensate him for his lost wages and other benefits resulting from this termination.

3. An award of non-economic damages.

4. An award of pre-judgment interest.

5. An award of attorney fees and costs associated with bringing this claim.

6. Any other order that is just and appropriate.

Howell requests a jury trial

Rodney Howell

By: 

pro se

Rodney Howell
4316 Old US Highway 51
Makanda, Illinois 62958
Telephone: (618) 201-9522
Email: organizeu773@yahoo.com